

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues
Against:

CAROL ANN BUCKNAM
1920 S. BOATSON AVENUE
ROWLAND HEIGHTS, CA 91748

Application for Licensure by Endorsement

Respondent

Case No. 2008-141

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on **APRIL 25, 2008.**

IT IS SO ORDERED **MARCH 25, 2008.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 EDMUND G. BROWN JR., Attorney General
of the State of California
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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

13 CAROL ANN BUCKNAM
1920 S. Batson Avenue
14 Rowland Heights, CA 91748
Application for Licensure by Endorsement
15

16 Respondent.

Case No. 2008-141

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 In the interest of a prompt and speedy settlement of this matter, consistent with the
19 public interest and the responsibility of the Board of Registered Nursing, Department of
20 Consumer Affairs, State of California, the parties hereby agree to the following Stipulated
21 Settlement and Disciplinary Order which will be submitted to the Board for approval and
22 adoption as the final disposition of the Statement of Issues.

23 **PARTIES**

24 1. Complainant Ruth Ann Terry, M.P.H, R.N., is the Executive Officer of the
25 Board of Registered Nursing. She brought this action solely in her official capacity and is
26 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
27 by Anne Hunter, Deputy Attorney General.
28

1 2. Respondent Carol Ann Bucknam is representing herself in this proceeding
2 and has chosen not to exercise her right to be represented by counsel.

3 3. On or about March 15, 2007, Respondent submitted an application to the
4 Board of Registered Nursing to obtain a Registered Nurse License by Endorsement. The
5 application was denied on or about May 16, 2007.

6 **JURISDICTION**

7 4. Statement of Issues No. 2008-141 was filed before the Board of
8 Registered Nursing (Board), Department of Consumer Affairs Board, and is currently pending
9 against Respondent. The Statement of Issues and all other statutorily required documents were
10 properly served on Respondent on November 1, 2007. Respondent timely filed her Notice of
11 Defense contesting the Statement of Issues. A copy of Statement of Issues No. 2008-141 is
12 attached as exhibit A and incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 5. Respondent has carefully read, and understands the charges and allegations
15 in Statement of Issues No. 2008-141. Respondent has also carefully read, and understands the
16 effects of this Stipulated Settlement and Disciplinary Order.

17 6. Respondent is fully aware of her legal rights in this matter, including the
18 right to a hearing on the charges and allegations in the Statement of Issues; the right to be
19 represented by counsel at her own expense; the right to confront and cross-examine the witnesses
20 against her; the right to present evidence and to testify on her own behalf; the right to the
21 issuance of subpoenas to compel the attendance of witnesses and the production of documents;
22 the right to reconsideration and court review of an adverse decision; and all other rights accorded
23 by the California Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
25 each and every right set forth above.

26 **CULPABILITY**

27 8. Respondent admits the truth of each and every charge and allegation in
28 Statement of Issues No. 2008-141.

1 9. Respondent agrees that her Application for Licensure by Endorsement is
2 subject to denial and she agrees to be bound by the Board's imposition of discipline as set forth in
3 the Disciplinary Order below.

4 **CIRCUMSTANCES IN MITIGATION**

5 10. Respondent Carol Ann Bucknam has never been the subject of any
6 disciplinary action by the Board of Registered Nursing . She is admitting responsibility at an
7 early stage in the proceedings.

8 **RESERVATION**

9 11. The admissions made by Respondent herein are only for the purposes of
10 this proceeding, or any other proceedings in which the Board of Registered Nursing or other
11 professional licensing agency is involved, and shall not be admissible in any other criminal or
12 civil proceeding.

13 **CONTINGENCY**

14 12. This stipulation shall be subject to approval by the Board of Registered
15 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
16 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
17 and settlement, without notice to or participation by Respondent or her counsel. By signing the
18 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
19 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
20 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
21 Order shall be of no force or effect; except for this paragraph, it shall be inadmissible in any legal
22 action between the parties, and the Board shall not be disqualified from further action by having
23 considered this matter.

24 **OTHER MATTERS**

25 13. The parties understand and agree that facsimile copies of this Stipulated
26 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
27 force and effect as the originals.

28 14. In consideration of the foregoing admissions and stipulations, the parties

1 agree that the Board may, without further notice or formal proceeding, issue and enter the
2 following Disciplinary Order:

3
4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that the application of Respondent Carol Ann
6 Bucknam for licensure is hereby granted and a license shall be issued to respondent upon
7 successful completion of all licensing requirements. Said Registered Nurse License shall
8 immediately be revoked, the order of revocation stayed and Respondent placed on probation for
9 a period of four (4) years on the following conditions.

10 **Severability Clause** - Each term and condition of probation contained herein is a
11 separate and distinct term and condition. If any term and condition of this Order, or any
12 application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of
13 this Order, and all other applications thereof, shall not be affected. Each term and condition of
14 this Order shall separately be valid and enforceable to the fullest extent permitted by law.

15 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
16 A full and detailed account of any and all violations of law shall be reported by Respondent to
17 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
18 compliance with this term, Respondent shall submit completed fingerprint cards and fingerprint
19 fees within 45 days of the effective date of the decision, unless previously submitted as part of
20 the licensure application process. Respondent shall submit a recent 2" x 2" photograph of
21 himself or herself within 45 days of the effective date of the final decision.

22 2. **Comply with Probation Program.** Respondent shall fully comply with
23 the terms and conditions of the Probation Program established by the Board and cooperate with
24 representatives of the Board in its monitoring and investigation of Respondent's compliance with
25 the Probation Program. Respondent shall inform the Board in writing within no more than 15
26 days of any address change and shall at all times maintain an active, current license status with
27 the Board, including during any period of suspension.

1 3. **Report in Person.** Respondent, during the period of probation, shall appear
2 in person at interviews/meetings as directed by the Board or its designated representatives.

3 4. **Residency or Practice Outside of State.** Periods of residency or practice
4 as a registered nurse outside of California will not apply to the reduction of this probationary
5 term. Respondent must provide written notice to the Board within 15 days of any change of
6 residency or practice outside the state.

7 5. **Submit Written Reports.** Respondent, during the period of probation,
8 shall submit or cause to be submitted such written reports/declarations and verification of actions
9 under penalty of perjury, as required by the Board. These reports/declarations shall contain
10 statements relative to Respondent's compliance with all the terms and conditions of the Board's
11 Probation Program. Respondent shall immediately execute all release of information forms as
12 may be required by the Board or its representatives.

13 **Provide Decision** - Respondent shall provide a copy of this decision to the
14 nursing regulatory agency in every state and territory in which she has a registered nurse license.

15 6. **Function as a Registered Nurse.** Respondent, during the period of
16 probation, shall engage in the practice of registered nursing in California for a minimum of 24
17 hours per week for 6 consecutive months or as determined by the Board.

18 For purposes of compliance with the section, "engage in the practice of registered
19 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
20 work in any non-direct patient care position that requires licensure as a registered nurse.

21 The Board may require that advanced practice nurses engage in advanced practice
22 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
23 Board.

24 If Respondent has not complied with this condition during the probationary term,
25 and Respondent has presented sufficient documentation of her good faith efforts to comply with
26 this condition, and if no other conditions have been violated, the Board, in its discretion, may
27 grant an extension of Respondent's probation period up to one year without further hearing in
28 order to comply with this condition.

1 7. **Employment Approval and Reporting Requirements.** Respondent
2 shall obtain prior approval from the Board before commencing any employment, paid or
3 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
4 performance evaluations and other employment related reports as a registered nurse upon request
5 of the Board.

6 Respondent shall provide a copy of this decision to her employer and immediate
7 supervisor prior to commencement of any nursing or other health care related employment.

8 Respondent shall notify the Board in writing within seventy-two (72) hours after
9 she obtains any nursing or other health care related employment, when such employment is not
10 as a registered nurse. Respondent shall notify the Board in writing within seventy-two (72) hours
11 after she is terminated from any registered nursing, other nursing, or other health care related
12 employment with a full explanation of the circumstances surrounding the termination.

13 8. **Supervision.** Respondent shall obtain prior approval from the Board
14 regarding Respondent's level of supervision and/or collaboration before commencing any
15 employment as a registered nurse.

16 Respondent shall practice only under the direct supervision of a registered nurse
17 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
18 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
19 are approved.

20 Respondent's level of supervision and/or collaboration may include, but is not
21 limited to the following:

22 (a) Maximum - The individual providing supervision and/or collaboration is
23 present in the patient care area or in any other work setting at all times.

24 (b) Moderate - The individual providing supervision and/or collaboration is in
25 the patient care unit or in any other work setting at least half the hours Respondent works.

26 (c) Minimum - The individual providing supervision and/or collaboration has
27 person-to-person communication with Respondent at least twice during each shift worked.

28 (d) Home Health Care - If Respondent is approved to work in the home health

1 care setting, the individual providing supervision and/or collaboration shall have person-to-
2 person communication with Respondent as required by the Board each work day. Respondent
3 shall maintain telephone or other telecommunication contact with the individual providing
4 supervision and/or collaboration as required by the Board during each work day. The individual
5 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
6 site visits to patients' homes visited by Respondent with or without Respondent present.

7 **9. Employment Limitations.** Respondent shall not work for a nurse's
8 registry, in any private duty position as a registered nurse, a temporary nurse placement agency,
9 or for an in-house nursing pool.

10 Respondent shall not work for a licensed home health agency as a visiting nurse
11 unless the registered nursing supervision and other protections for home visits have been
12 approved by the Board. Respondent shall not work in any other registered nursing occupation
13 where home visits are required.

14 Respondent shall not work in any health care setting as a supervisor of registered
15 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
16 nurses and/or unlicensed assistive personnel on a case-by-case basis.

17 Respondent shall not work as a faculty member in an approved school of nursing
18 or as an instructor in a Board approved continuing education program.

19 Respondent shall work only on a regularly assigned, identified and predetermined
20 worksite(s) and shall not work in a float capacity.

21 If Respondent is working or intends to work in excess of 40 hours per week, the
22 Board may request documentation to determine whether there should be restrictions on the hours
23 of work.

24 **10. Complete a Nursing Course(s).** Respondent shall comply with the
25 appropriate requirement, as specified in the decision:

26 a) Respondent, at her own expense, shall enroll and successfully complete a
27 course(s) relevant to the practice of registered nursing no later than six months prior to the end of
28 her probationary term.

1 Respondent shall obtain prior approval from the Board before enrolling in the
2 course(s). Respondent shall submit to the Board the original transcripts or certificates of
3 completion for the above required course(s). The Board shall return the original documents to
4 Respondent after photocopying them for its records.

5 **11. Violation of Probation.** If Respondent violates the conditions of her
6 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
7 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
8 license.

9 If during the period of probation, an accusation or petition to revoke probation has
10 been filed against Respondent's license or the Attorney General's Office has been requested to
11 prepare an accusation or petition to revoke probation against Respondent's license, the
12 probationary period shall automatically be extended and shall not expire until the accusation or
13 petition has been acted upon by the Board. Upon successful completion of probation,
14 Respondent's license will be fully restored.

15 **12. License Surrender.** During Respondent's term of probation, if she ceases
16 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
17 probation, Respondent may surrender her license to the Board. The Board reserves the right to
18 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
19 take any other action deemed appropriate and reasonable under the circumstances, without
20 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
21 will no longer be subject to the conditions of probation.

22 Surrender of Respondent's license shall be considered a disciplinary action and
23 shall become a part of Respondent's license history with the Board. A registered nurse whose
24 license has been surrendered may petition the Board for reinstatement no sooner than the
25 following minimum periods from the effective date of the disciplinary decision:

26 (1) Two years for reinstatement of a license that was surrendered for any
27 reason other than a mental or physical illness; or

28 ~~or~~ ~~for~~ ~~any~~ ~~other~~ ~~reason~~ ~~other~~ ~~than~~ ~~a~~ ~~mental~~ ~~or~~ ~~physical~~ ~~illness~~ ~~;~~ ~~or~~

1 (2) One year for a license surrendered for a mental or physical illness.

2 13. **Physical Examination.** Within 45 days of the effective date of this
3 decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
4 physician assistant, who is approved by the Board before the assessment is performed, submit an
5 assessment of Respondent's physical condition and capability to perform the duties of a
6 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
7 medically determined, a recommended treatment program will be instituted and followed by
8 Respondent with the physician, nurse practitioner, or physician assistant providing written
9 reports to the Board on forms provided by the Board.

10 If Respondent is determined to be unable to practice safely as a registered nurse,
11 the licensed physician, nurse practitioner, or physician assistant making this determination shall
12 immediately notify the Probation Program and Respondent by telephone. Respondent shall
13 immediately cease practice and shall not resume practice until notified by the Probation Monitor.
14 During this period of suspension, Respondent shall not engage in any practice for which a license
15 issued by the Board is required until the Probation Monitor has notified Respondent that a
16 medical determination permits Respondent to resume practice.

17 14. **Participate in Treatment/Rehabilitation Program for Chemical**
18 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary
19 period or shall have successfully completed prior to commencement of probation a Board-
20 approved treatment/rehabilitation program of at least six months. As required, reports shall be
21 submitted by the program on forms provided by the Board. If Respondent has not completed a
22 Board-approved treatment/rehabilitation program prior to commencement of probation,
23 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a
24 program. If a program is not successfully completed within the first nine months of probation,
25 the Board shall consider Respondent in violation of probation.

26 Based on Probation Program recommendation, each week Respondent shall be
27 required to attend at least one, but no more than five 12-step recovery meetings or equivalent
28 (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as

1 approved and directed by the Board. If a nurse support group is not available, an additional 12
2 step meeting or equivalent shall be added. Respondent shall submit dated and signed
3 documentation confirming such attendance to the Board during the entire period of probation.
4 Respondent shall continue with the recovery plan recommended by the treatment/rehabilitation
5 program or a licensed mental health examiner and/or other ongoing recovery groups.

6 **15. Abstain from Use of Psychotropic (Mood-altering) Drugs.** Respondent
7 shall completely abstain from the possession, injection or consumption by any route of all
8 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a
9 health care professional legally authorized to do so and are part of documented medical
10 treatment. Respondent shall have sent to the Board, in writing and within fourteen (14) days, by
11 the prescribing physician or dentist, a report identifying the medication, dosage, the date the
12 medication was prescribed, Respondent's prognosis, the date the medication will no longer be
13 required, and the effect on the recovery plan, if appropriate.

14 Respondent shall identify for the Board a single physician, nurse practitioner or
15 physician assistant who shall be aware of Respondent's history of substance abuse and will
16 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
17 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
18 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
19 condition. If any substances considered addictive have been prescribed, the report shall identify a
20 program for the time limited use of any such substances.

21 The Board may require the single coordinating physician, nurse practitioner, or
22 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
23 addictive medicine.

24 **16. Submit to Tests and Samples.** Respondent, at her expense, shall
25 participate in a random, biological fluid testing or a drug screening program which the Board
26 approves. The length of time and frequency will be subject to approval by the Board.
27 Respondent is responsible for keeping the Board informed of Respondent's current telephone
28 number at all times. Respondent shall also ensure that messages may be left at the telephone

1 number when she is not available and ensure that reports are submitted directly by the testing
2 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to
3 the Board by the program and Respondent shall be considered in violation of probation.

4 In addition, Respondent, at any time during the period of probation, shall fully
5 cooperate with the Board or any of its representatives, and shall, when requested, submit to such
6 tests and samples as the Board or its representatives may require for the detection of alcohol,
7 narcotics, hypnotics, dangerous drugs, or other controlled substances.

8 If Respondent has a positive drug screen for any substance not legally authorized
9 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
10 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
11 from practice pending the final decision on the petition to revoke probation or the accusation.

12 17. **Mental Health Examination.** Respondent shall, within 45 days of the
13 effective date of this decision, have a mental health examination including psychological testing
14 as appropriate to determine her capability to perform the duties of a registered nurse. The
15 examination will be performed by a psychiatrist, psychologist or other licensed mental health
16 practitioner approved by the Board. The examining mental health practitioner will submit a
17 written report of that assessment and recommendations to the Board. All costs are the
18 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
19 result of the mental health examination will be instituted and followed by Respondent.

20 If Respondent is determined to be unable to practice safely as a registered nurse,
21 the licensed mental health care practitioner making this determination shall immediately notify
22 the Probation Program and Respondent by telephone. Respondent shall immediately cease
23 practice and may not resume practice until notified by the Probation Monitor. During this period
24 of suspension, Respondent shall not engage in any practice for which a license issued by the
25 Board is required, until the Probation Monitor has notified Respondent that a mental health
26 determination permits Respondent to resume practice.

27 18. **Therapy or Counseling Program.** Respondent, at her expense, shall
28 participate in an on-going counseling program until such time as the Board releases her from this

1 requirement and only upon the recommendation of the counselor. Written progress reports from
2 the counselor will be required at various intervals.

3 During any suspension period, all probation terms are in full force and effect
4 except those relating to actual nursing practice.

5 19. **Other Board or Regulatory Agency Orders.** Respondent is subject to
6 concurrent disciplinary order(s) from the NEVADA STATE BOARD OF NURSING (Nevada
7 Board). If Respondent violates the Nevada Board's order(s), the violation shall be deemed a
8 violation of probationary conditions imposed by the Board, and may result in the filing of an
9 Accusation and Petition to Revoke Probation.

10
11 **ACCEPTANCE**

12 I have carefully read the Stipulated Settlement and Disciplinary Order. I
13 understand the stipulation and the effect it will have on my Application for Licensure by
14 Endorsement. I enter into this Stipulated Settlement and Disciplinary Order voluntarily,
15 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of
16 Registered Nursing.

17 DATED: 1-16-07

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20 CAROL ANN BUCKNAM
Respondent

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1 **ENDORSEMENT**

2 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
3 submitted for consideration by the Board of Registered Nursing, Department of Consumer
4 Affairs, State of California..

5
6 DATED: Jan. 23, 2008

7 EDMUND G. BROWN JR., Attorney General
8 of the State of California

9 MARC D. GREENBAUM
Supervising Deputy Attorney General

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12 ANNE HUNTER
13 Deputy Attorney General

14 Attorneys for Complainant

15 DOJ Matter ID: LA2007601062
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2008-141

Exhibit A
Statement of Issues No. 2008-141

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 MARC D. GREENBAUM
Supervising Deputy Attorney General
3 ANNE HUNTER, State Bar No. 136982
Deputy Attorney General
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6 Attorneys for Complainant
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9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Statement of Issues Against:

Case No. **2008-141**

14 CAROL ANN BUCKNAM
1920 S. Batson Avenue
15 Rowland Heights, CA 91748
Application for Licensure by Endorsement

STATEMENT OF ISSUES

16 Respondent.
17

18 Complainant alleges:

19 **PARTIES**

20 1. Complainant Ruth Ann Terry, M.P.H., R.N. brings this Statement of
21 Issues solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
22 Department of Consumer Affairs (Board).

23 2. On or about March 26, 2007, the Board of Registered Nursing received an
24 application for Licensure by Endorsement from Carol Ann Bucknam (Respondent). On or about
25 March 15, 2007, Carol Ann Bucknam certified under penalty of perjury to the truthfulness of all
26 statements, answers, and representations in the application. The Board denied the application on
27 May 16, 2007.

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1 7. Section 2762 of the Code provides in pertinent part:

2 "In addition to other acts constituting unprofessional conduct within the meaning
3 of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed
4 under this chapter to do any of the following:

5 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a
6 licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish
7 or administer to another, any controlled substance as defined in Division 10 (commencing with
8 Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as
9 defined in Section 4022.

10 "(b) Use any controlled substance as defined in Division 10 (commencing with
11 Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as
12 defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or
13 injurious to himself or herself, any other person, or the public or to the extent that such use
14 impairs his or her ability to conduct with safety to the public the practice authorized by his or her
15 license.

16 8. Section 480 of the Code provides in pertinent part:

17 "(a) A board may deny a license regulated by this code on the grounds that the
18 applicant has one of the following:

19 ". . . .

20 "(3) Done any act which if done by a licentiate of the business or profession in
21 question, would be grounds for suspension or revocation of license.

22 "The board may deny a license pursuant to this subdivision only if the crime or act
23 is substantially related to the qualifications, functions or duties of the business or profession for
24 which application is made. convicted of a misdemeanor if he has met all applicable requirements
25 of the criteria of rehabilitation developed by the board to evaluate the rehabilitation of a person
26 when considering the denial of a license under subdivision (a) of Section 482."

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1 **FIRST CAUSE FOR DENIAL OF APPLICATION**

2 **(Disciplinary Action by Another State)**

3 9. Respondent's application is subject to denial under Code sections 2761,
4 subdivision (a)(4), and 480 in that the Nevada State Board of Nursing has disciplined her license
5 to practice registered nursing in that state. The circumstances are as follows:

6 a. On or about September 21, 2006, pursuant to Agreement for
7 Probation entered in Case No. 0103-06YRE, respondent's Registered Nurse License No.
8 RN31233 issued by the State of Nevada on February 27, 1998, was revoked, the revocation order
9 was stayed, and the license placed on probation for 5 years under certain terms and conditions.
10 Respondent admitted in the Agreement to Probation that she is addicted to alcohol or controlled
11 substances, that her addiction constitutes a violation of Nevada Revised Statutes section 632.320,
12 subdivisions (5) (controlled substances and/or alcohol) and (7) (unprofessional conduct), and
13 Nevada Administrative Code section 632.890, subdivisions (9) (impaired practice) and
14 (35)(failing to comply). The terms and conditions of her probation ordered by the Nevada State
15 Board of Nursing include but are not limited to abstaining from alcohol, mood-altering drugs and
16 controlled substances; participating in a Board-approved after care program; submitting evidence
17 of attending Alcoholics Anonymous or Narcotics Anonymous meetings; and submitting to
18 random urine, blood or other tests for drugs of abuse.

19 b. On October 8, 2002, the Nevada Board of Nursing issued an order
20 in Case No. 1210-00C revoking respondent's probation that had commenced on January 25,
21 2002. Respondent's probation was revoked because she failed to complete a chemical
22 dependency program as required in the Agreement for Probation.

23 c. On January 25, 2002, in the Agreement for Probation
24 (Disciplinary) resolving Case No. 1210-00C, the Nevada State Board of Nursing placed
25 respondent on three year's probation. In the agreement respondent acknowledged that the
26 Nevada State Board of Nursing had received a complaint indicating that on or about December 7,
27 2000, she was sent home from the hospital where she was sent to work because her breath
28 allegedly smelled of alcohol and she was incoherent. Respondent further acknowledged in the

1 agreement for probation that she was suspended on or about September 10, 1999, for substandard
2 work performance during August 1999, and that on or about February 28, 2000, USA Personnel
3 terminated her employment because of substandard work performance at Desert Springs
4 Hospital. The terms and conditions of probation included abstaining from alcohol, mood-altering
5 drugs and controlled substances; being evaluated for chemical dependency; being counseled for
6 chemical dependency; submitting evidence of participation in AA or Gamblers Anonymous (GA)
7 meetings; submitting AA or GA sponsor reports; and submitting to random urine, blood or other
8 tests for alcohol or drugs of abuse.

9 **SECOND CAUSE FOR DENIAL OF APPLICATION**

10 **(Unprofessional Conduct)**

11 10. Respondent's application is subject to denial under Code section 2761,
12 subdivision (a), in that respondent was observed working as a nurse while her breath smelled of
13 alcohol and she was incoherent. The circumstances alleged in paragraph 9 above are realleged
14 and incorporated herein by reference as though set forth in full.

15 **THIRD CAUSE FOR DENIAL OF APPLICATION**

16 **(Dangerous Use of Alcohol)**

17 11. Respondent's application is subject to denial under Code section 2762,
18 subdivision (b), in that respondent was observed working as a nurse while her breath smelled of
19 alcohol and she was incoherent. The circumstances alleged in paragraph 9 above are realleged
20 and incorporated herein by reference as though set forth in full.

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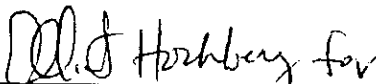
1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board issue a decision:

4 1. Denying the application of Carol Ann Bucknam for a Application for
5 Licensure by Endorsement; and

6 2. Taking such other and further action as deemed necessary and proper.
7

8 DATED: 10/25/07
9

10 
11 RUTH ANN TERRY, M.P.H., R.N.
12 Executive Officer
13 Board of Registered Nursing
14 State of California
15 Complainant

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ORIGINAL

BEFORE THE NEVADA STATE BOARD OF NURSING

RECEIVED - PERC

AUG 21 2006

NEVADA STATE
BOARD OF NURSING

IN THE MATTER OF

CAROL BUCKNAM

LICENSED PROFESSIONAL NURSE

NEVADA LICENSE NO. RN31233

RESPONDENT

AGREEMENT FOR
PROBATION

CASE NO. 0103-06YRE

This Agreement is hereby entered into between CAROL BUCKNAM, (RESPONDENT) and the NEVADA STATE BOARD OF NURSING, (BOARD).

It is hereby stipulated and agreed, by and between the parties to the above-entitled matter, that the following statements are true:

1. Respondent is aware of, understands, and has been advised of the effect of this Agreement, which Respondent herein has carefully read and fully acknowledges. No coercion has been exerted on the Respondent. Respondent acknowledges her right to an attorney at her own expense. The Respondent has had the benefit at all times of obtaining advice from competent counsel of her choice.

2. Respondent understands the nature of the allegations under investigation by the Nevada State Board of Nursing. Respondent freely admits that on or about January 21, 2002 the Board accepted an Agreement for Probation for five (5) years as result of her impairment on duty while employed as a registered nurse. Respondent acknowledges that on or about October 8, 2002, the Board revoked her license for one (1) year as result of her failing to complete a chemical dependency program as required. Respondent freely admits that she is addicted to alcohol and/or controlled substances. Respondent acknowledges this conduct constitutes a violation of the Nevada Revised Statutes 632.320 (5) controlled substances and/or alcohol, and (7) unprofessional conduct, and Nevada Administrative Code 632.820 (9) impaired practice and

1 (35) failing to comply. Respondent further acknowledges that such acts and admissions subject
2 her to disciplinary action by the Board.

3 3. Respondent is aware of the Respondent's rights, including the right to a hearing
4 on any charges and allegations, the right to an attorney at her own expense, the right to examine
5 witnesses who would testify against her, the right to present evidence in her favor and call
6 witnesses on her behalf, or to testify herself, the right to contest the charges and allegations, the
7 right to reconsideration, appeal or any other type of formal judicial review of this matter, and any
8 other rights which may be accorded to her pursuant to the Nevada Administrative Procedures Act
9 and the provisions of Chapter 632 of the Nevada Revised Statutes and the Nevada
10 Administrative Code. **Respondent agrees to waive the foregoing rights upon acceptance of**
11 **this Agreement by the Board.**

12 4. Respondent understands that the Board is free to accept or reject this Agreement,
13 and if rejected by the Board, a disciplinary proceeding may be commenced.

14 5. Should the Agreement be rejected by the Board, it is agreed that presentation to
15 and consideration by the Board of such proposed Agreement, shall not disqualify the Board, or
16 any of its members, from further participation, consideration, adjudication or resolution of these
17 proceedings, and that no Board member shall be disqualified or challenged for bias therefore.

18 6. If, after notice and hearing, Respondent is found to have violated the terms or
19 conditions of probations, the Board may revoke probation for Respondent and carry out the
20 disciplinary order of revocation set forth herein. The Board shall have continuing jurisdiction
21 over any petition to revoke probation filed against Respondent until such matter is final.

22 7. This Agreement shall only become effective when both parties have duly
23 executed it and unless so executed, this Agreement will not be construed as an admission.

24 8. This Agreement shall not be construed as excluding or reducing any criminal or
25 civil penalties or sanction or other remedies that may be applicable under federal, state or local
26 laws.

27 9. This Agreement shall cover any nursing license or certificate issued by the State
28 of Nevada.

1 10. Based upon the foregoing stipulations and recitals, it is hereby agreed that the
2 Board may issue the following decision and order:

3 **DECISION AND ORDER**

4 IT IS HEREBY ORDERED that Nevada Licensed Professional Nurse, license number
5 RN31233, issued in the name of CAROL BUCKNAM, be revoked, provided, however, that the
6 execution of the order of revocation is stayed, and the license is placed on probation
7 (RESTRICTED LICENSURE) for a minimum of five (5) years with the following terms and
8 conditions:

9 1. **LICENSE MARKED "RESTRICTED" AND RETURN OF UNMARKED**
10 **LICENSE**

11 Respondent shall have her license marked "Restricted" through out the probationary period.
12 Upon receipt of the marked license, Respondent shall immediately return her unmarked license
13 to the Board office.

14 2. **WRITTEN NOTIFICATION OF CHANGE OF ADDRESS**

15 Respondent shall notify the Board, in writing of, and prior to, any change of address.

16 3. **ABSTINENCE FROM ALCOHOL, MOOD ALTERING DRUGS,**
17 **CONTROLLED SUBSTANCES**

18 Respondent shall abstain from the use of alcohol and all mood-altering drugs and controlled
19 substances except when absolutely required for documented medical treatment. All other
20 methods of alternative treatment must be tried, and failure must be documented prior to use of
21 any mood-altering drugs. This treatment must be prescribed by a person authorized by law to
22 prescribe such substances, and who is knowledgeable about the disease of addiction and the
23 Respondent's history. This treatment must be reported to the Board, in writing, within seven (7)
24 days, accompanied by the above-described documentation. The Board may require additional
25 treatment until Respondent documents sobriety after periods of prescribed drug use.

26 4. **PARTICIPATION IN BOARD-APPROVED AFTERCARE PROGRAM**

27 Respondent shall participate in a Board-approved aftercare program for a minimum of one year.
28 Such program shall include a minimum of weekly aftercare group sessions and individual

1 counseling not less than twice per month. Individual counseling shall be provided by a Board-
2 approved Certified Substance Abuse Counselor, Certified Chemical Dependency Nurse, or other
3 approved treatment provider.

4 5. **COUNSELOR REPORTS (DUE QUARTERLY)**

5 Respondent shall have a Board approved substance abuse counselor, or other state licensed
6 counselor, associated with her aftercare program who shall:

- 7 a. Have been approved by the Board prior to the initiation of
8 treatment;
- 9 b. Submit progress reports related to the plan of treatment every three
10 (3) months;
- 11 c. Identify at the completion of one (1) year of the aftercare program
12 whether Respondent needs to continue in aftercare or other
13 counseling;
- 14 d. Respondent shall participate in individual counseling with a Board
15 approved counselor until the counselor and the Executive Director
16 or the Compliance Coordinator approve discontinuance;
- 17 e. All changes in counselors shall be approved prior to their
18 implementation;
- 19 f. A second opinion may be required to terminate any counseling.

20 6. **SUBMISSION OF EVIDENCE OF ATTENDANCE AT ALCOHOLICS**
21 **ANONYMOUS (AA) OR NARCOTICS ANONYMOUS (NA) MEETINGS**

22 Respondent shall attend a minimum of two (2) meetings per week of Alcoholics Anonymous
23 (AA) or Narcotics Anonymous (NA) throughout probation, and shall submit documentation of
24 all meetings attended to the Board on a quarterly basis.

25 7 **SUBMISSION OF AA/NA SPONSOR REPORTS**

26 Respondent shall cause her AA or NA sponsor to submit reports addressing Respondent's
27 progress in recovery, on forms provided by the Board, on a quarterly basis.

28 ///

1 8. **ATTENDANCE AT NURSE SUPPORT GROUP**

2 Respondent shall attend weekly meetings of a Board-approved Nurse Support Group and submit
3 documentation of all meetings attended to the Board on a quarterly basis.

4 9. **SUBMISSION TO URINE, BLOOD, OR OTHER TESTS FOR DRUGS OF**
5 **ABUSE**

6 Respondent shall submit to random urine, blood or other tests for drugs of abuse and/or alcohol
7 when requested by her counselor, supervisor, or representative of the Board; however, these tests
8 shall occur no less than twelve (12) times per year. Respondent shall register with the Board
9 approved urine drug screening program and, if necessary, cause her physician to write a standing
10 order for testing for alcohol and drugs of abuse. These tests shall be treated as forensic
11 specimens and submitted to a Board-approved laboratory. Respondent shall cause the results to
12 be given to the requesting party and the Board. Any confirmed positive finding shall be reported
13 immediately to the Board. Changes in frequency of tests may be approved by the Compliance
14 Coordinator and/or the Disability Advisory Committee.

15 10. **ATTENDANCE AT A BOARD MEETING MANDATORY**

16 Respondent shall, during the first year of this Agreement, attend a minimum of one meeting of
17 the Nevada State Board of Nursing during which disciplinary hearings are held. This shall not
18 include any meeting at which her own case is considered.

19 11. **TIME EARNED OFF PROBATION**

20 Respondent shall only receive credit toward service of her probation period while employed in a
21 capacity for which nursing licensure/certification is required and subject to adequate supervision
22 approved by the Board.

23 12. **WRITTEN EMPLOYMENT SITE APPROVAL BY BOARD STAFF**

24 The Board shall approve all employment sites (changes in specialty and/or work site or unit,
25 including changes within the same facility or under the same employer) requiring a nursing
26 license/certificate **prior to commencement of work.** Approval is given through the Executive
27 Director, or the Compliance Coordinator. Registration with the Board approved urine drug-
28 screening program is required prior to commencement of employment.

1 13. **WRITTEN NOTIFICATION OF TERMINATION OF EMPLOYMENT TO**
2 **BOARD**

3 Respondent is required to notify the Board in writing within seventy-two (72) hours after
4 commencement or termination of any nursing employment. Any notification regarding
5 termination shall contain a full explanation of the circumstances surrounding it.

6 14. **DIRECTION BY A REGISTERED NURSE**

7 Respondent shall be employed in a setting in which direction is provided by a Registered Nurse.
8 Direction shall mean: the intermittent observation, guidance and evaluation of the nursing
9 practice by a licensed professional nurse who may only occasionally be physically present; the
10 degree of direction needed shall be determined by an evaluation of the patient care situation, and
11 the demonstrated proficiency of the Respondent.

12 15. **RESTRICTION FROM FUNCTIONING IN A SUPERVISORY ROLE**

13 Respondent may not function as a supervisor, including as a head nurse or charge nurse for a
14 minimum of one (1) year and unless approved by the Compliance Coordinator and/or the
15 Disability Advisory Committee.

16 16. **ACCESS TO CONTROLLED SUBSTANCES**

17 Respondent shall have no access to controlled substances during her employment as a licensed
18 nurse for a minimum of one (1) year and until specifically authorized by the Compliance
19 Coordinator and/or the Disability Advisory Committee.

20 17. **LIMITATION ON HOURS WORKED**

21 Respondent shall not work more than ninety (90) hours in nursing in a two (2) week period.
22 Changes in hours may be approved by the Compliance Coordinator and/or the Disability
23 Advisory Committee.

24 18. **SUBMISSION OF AGREEMENT TO IMMEDIATE SUPERVISOR**

25 Respondent shall provide a complete copy of this Agreement to her employer and immediate
26 supervisor prior to commencement of work.

27 ///

1 19. **INITIAL SUPERVISOR REPORTS (DUE PRIOR TO BEGINNING**
2 **EMPLOYMENT)**

3 Respondent shall cause her nursing supervisor (the person who is directly responsible for
4 everyday nursing functions) to submit a written report prior to the commencement of
5 employment. A form is provided for this report. A report shall be submitted by each additional
6 or subsequent supervisor during the entire probationary period and shall be due prior to the
7 commencement of employment.

8 20. **SUPERVISOR REPORTS**

9 Respondent shall cause her nursing supervisor (the person who is directly responsible for
10 everyday nursing functions) to submit quarterly written reports to the Board addressing work
11 attendance, reliability, ability to carry out assigned nursing functions, ability to handle stress
12 (change in behavior patterns), and any other information the employer or supervisor feels would
13 assist the Board in its ultimate review of Respondent's case. The supervisor shall include
14 notification of any infractions of laws that come to her attention, and any other relevant
15 information.

16 21. **SELF REPORTS**

17 Respondent shall submit written reports, whether working or not, on her progress in recovery,
18 her ability to handle stress, her mental and physical health, her current job duties and
19 responsibilities, her ability to practice nursing safely, and any changes in her plan for meeting the
20 stipulations of this Agreement. It is the Respondent's responsibility to resolve any confusion
21 with the Executive Director or Associate Director for Compliance. Failure to demonstrate
22 acceptable progress in recovery may be considered a violation of this Agreement.

23 22. **REPORT DUE DATES**

24 Respondent shall cause all reports to be in writing and submitted directly to the Board on a
25 quarterly basis **whether working or not** unless otherwise specified. These reports shall begin
26 one (1) month subsequent to the execution of this Agreement and are due no later than the last
27 day of the month. It is the obligation of the Respondent to ensure that all written reports are on
28 time. The failure to submit the reports on time may be considered a violation of this Agreement.

1 Changes in the frequency of reporting may be approved by the Executive Director or the
2 Compliance Coordinator and/or the Disability Advisory Committee.

3 23. **REQUIREMENT TO MEET WITH THE BOARD OR STAFF UPON**
4 **REQUEST**

5 Respondent shall meet with the Board or its representatives upon request and shall cooperate
6 with representatives of the Board in their supervision and investigation of Respondent's
7 compliance with the terms and conditions of this Agreement.

8 24. **FINANCIAL RESPONSIBILITIES AND MONITORING FEES (DUE**
9 **MONTHLY)**

10 Respondent shall be financially responsible for all requirements of this Agreement, including any
11 financial assessments by the Board for the cost of monitoring her compliance with this
12 Agreement. Respondent may be assessed a late fee for monitoring fees that are received more
13 than ten (10) calendar days after the due date.

14 25. **REQUIRED NOTIFICATION OF OTHER STATES OF LICENSURE**
15 **AND/OR CERTIFICATION**

16 Respondent shall, upon execution of this Agreement, provide a copy of this Agreement to any
17 other state Board of Nursing in whose jurisdiction she has been issued a nursing
18 license/certificate (current or not). Respondent shall also provide a copy of this Agreement to
19 any other regulatory agency in whose jurisdiction she has applied or will apply for a
20 license/certificate.

21 26. **VIOLATIONS TO BE REPORTED TO BOARD WITHIN SEVENTY-TWO**
22 **(72) HOURS**

23 Respondent shall practice in accordance with the Nurse Practice Act and Board established
24 Standards of Practice. Respondent shall obey all federal, state and local laws, employer policy or
25 contracts, and orders of the Board, pertaining to the practice of nursing in this state. Any and all
26 violations shall be reported by the Respondent to the Board in writing within seventy-two (72)
27 hours. It is the Respondent's responsibility to resolve with the Executive Director, or the
28 Compliance Coordinator any confusion regarding what laws pertain to nursing.

1 27. **CONSEQUENCES OF FURTHER VIOLATIONS INCLUDING**
2 **VIOLATIONS OF THIS AGREEMENT; AGREEMENT TO SURRENDER**
3 **LICENSE AND/OR CERTIFICATE**

4 Respondent acknowledges that if she should violate one or more of the terms of restricted
5 licensure/certification, the Board may revoke, or invoke other appropriate discipline against her
6 license/certificate to practice nursing, subject only to the requirement that the Board shall, prior
7 to such disciplinary action, conduct a hearing in accordance with the Nevada Nurse Practice Act
8 for the limited purpose of establishing that there has, in fact, been a violation of the stipulations
9 of this Agreement. In the event that a violation of the stipulations is alleged, Respondent agrees
10 to surrender her license/certificate to the Executive Director, or the Compliance Coordinator, if
11 they so request, and refrain from practicing nursing until entry of a final order of the Board or a
12 court of competent jurisdiction, whichever last occurs, regarding a potential violation.

13 28. **REPORTING TO NATIONAL DISCIPLINARY DATA BANKS**

14 This Agreement will become part of the Respondent's permanent record, will become public
15 information, will be published with the list of disciplinary actions the Board has taken, and may
16 be reported to any national repository which records disciplinary action taken against licensees
17 or holders of certificates; or any agency or another state which regulates the practice of nursing.
18 The Agreement may be used in any subsequent hearings by the Board.

19 29. **TERMINATION OF PROBATION**

20 Upon completion of the stipulations of this Agreement, Respondent shall apply for termination
21 of probation and issuance of unrestricted licensure/certification on forms supplied by the Board.
22 Respondent shall meet with the Compliance Coordinator and/or the Disability Advisory
23 Committee for evaluation of compliance and recommendation for termination of probation. The
24 probation shall continue until terminated by the Board.

25 ///

26 ///

27 ///

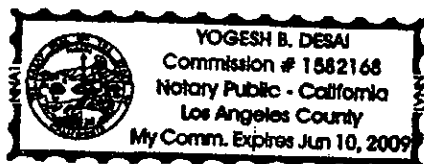
1 NEVADA STATE BOARD OF NURSING retains jurisdiction in this case until all
2 conditions have been met to the satisfaction of the Board.

3
4 Dated this 19 day of August, 2006

Carol Bucknam
RESPONDENT
CAROL BUCKNAM

5
6
7
8 CALIFORNIA
9 State of Nevada
10 County of LOS-ANGELES

11
12 This instrument was acknowledged before me on AUGUST 19th, 2006, by _____
13 CAROL ANN BUCKNAM



Yogesh B. Desai
Notary Public

21 Accepted and approved this 21st day of September, 2006

22
23
24 NEVADA STATE BOARD OF NURSING

25
26 By: Helen Vos
27 Helen Vos, MS, RN
28 Board President

1 BEFORE THE NEVADA STATE BOARD OF NURSING
2 IN THE MATTER OF
3 CAROL BUCKNAM, RN
4 LICENSED PROFESSIONAL NURSE
5 NEVADA LICENSE NO. RN31233
6 RESPONDENT

AGREEMENT FOR
PROBATION (Disciplinary)

CASE NO. 1210-00C

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NEVADA STATE
BOARD OF NURSING

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DEC 28 2001
NEVADA STATE
BOARD OF NURSING

8 This Agreement is hereby entered into between CAROL BUCKNAM, (RESPONDENT)
9 and the NEVADA STATE BOARD OF NURSING, (BOARD).

10 It is hereby stipulated and agreed, by and between the parties to the above-entitled matter,
11 that the following statements are true:

12 1. RESPONDENT is aware of, understands, and has been advised of the effect of
13 this Agreement, which Respondent herein has carefully read and fully acknowledges. No
14 coercion has been exerted on the Respondent. Respondent acknowledges his/her right to an
15 attorney at his/her own expense. The Respondent has had the benefit at all times of obtaining
16 advice from competent counsel of his/her choice.

17 2. RESPONDENT understands the nature of the allegations under investigation by
18 the Nevada State Board of Nursing. Respondent freely admits that the Board received a
19 complaint from StarMed indicating that on or about December 7, 2000, while employed by
20 StarMed and scheduled to work at Willow Creek Recovery Hospital, she was sent home because
21 she allegedly had the smell of alcohol on her breath and was acting incoherent. Respondent
22 further acknowledges that, while employed by USA Personnel in Las Vegas, Nevada, she
23 received the following disciplinary actions:

- 24 a. On or about September 10, 1999, she was suspended based on her work
25 performance at Sunrise Hospital during August of 1999. The counseling form
26 indicates that the Respondent's performance was below minimal standards,
27 documentation skills were poor, she does not observe the five rights of
28 medication, medication not given on time, poor prioritization, PCA pump left in

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BOARD OF NURSING

1 room of discharged patient, syringe with narcotic left on a table, and inappropriate
2 comments to family members.

3 b. On or about February 28, 2000, Respondent's employment with USA Personnel
4 was terminated based on occurrences while working at Desert Springs Hospital,
5 on or about February 11, 2000. The termination report indicates that the
6 Respondent was not giving required medication when due and available, giving
7 medication for increased heart rate when not needed, and poor medication
8 assessment and competency.

9 Respondent acknowledges the conduct described in paragraph two (2) constitutes a violation of
10 the Nevada Nurse Practice Act. (NRS and NAC 632) Respondent further acknowledges that
11 such admissions subject him/her to disciplinary action by the Board.

12 3. RESPONDENT is aware of the Respondent's rights, including the right to a
13 hearing on any charges and allegations, the right to an attorney at his/her own expense, the right
14 to examine witnesses who would testify against him/her, the right to present evidence in his/her
15 favor and call witnesses on his/her behalf, or to testify him/herself, the right to contest the
16 charges and allegations, the right to reconsideration, appeal or any other type of formal judicial
17 review of this matter, and any other rights which may be accorded to him/her pursuant to the
18 Nevada Administrative Procedures Act and the provisions of Chapter 632 of the Nevada Revised
19 Statutes and the Nevada Administrative Code. Respondent agrees to waive the foregoing
20 rights upon acceptance of this Agreement by the Board.

21 4. RESPONDENT understands that the Board is free to accept or reject this
22 Agreement, and if rejected by the Board, a disciplinary proceeding may be commenced.

23 5. Should the Agreement be rejected by the Board, it is agreed that presentation to
24 and consideration by the Board of such proposed Agreement, shall not disqualify the Board, or
25 any of its members, from further participation, consideration, adjudication or resolution of these
26 proceedings, and that no Board member shall be disqualified or challenged for bias therefore.

27 6. If, after notice and hearing, Respondent is found to have violated the terms or
28 conditions of probations, the Board may revoke probation for Respondent and carry out the

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1 disciplinary order of revocation set forth herein. The Board shall have continuing jurisdiction
2 over any petition to revoke probation filed against Respondent until such matter is final.

3 7. This Agreement shall only become effective when both parties have duly
4 executed it and unless so executed, this Agreement will not be construed as an admission.

5 8. This Agreement shall not be construed as excluding or reducing any criminal or
6 civil penalties or sanction or other remedies that may be applicable under federal, state or local
7 laws.

8 9. Based upon the foregoing stipulations and recitals, it is hereby agreed that the
9 Board may issue the following decision and order:

10
11
12
13 **DECISION AND ORDER**

14 IT IS HEREBY ORDERED that Nevada Licensed Professional Nurse, license number
15 RN31233, issued in the name of Carol Bucknam, be revoked, provided, however, that the
16 execution of the order of revocation is stayed, and the license is placed on probation
17 (RESTRICTED LICENSURE) for a minimum of three (3) years with the following terms and
18 conditions:

19 1. **LICENSE MARKED "RESTRICTED" AND RETURN OF UNMARKED**
20 **LICENSE**

21 RESPONDENT shall have his/her license marked "Restricted" through out the probationary
22 period. Upon receipt of the marked license, Respondent shall immediately return his/her
23 unmarked license to the Board office.

24 2. **REQUIRED COURSE**

25 RESPONDENT, within one (1) year of the execution of this agreement, shall successfully
26 complete a non-homestudy pharmacology course. This course must be pre-approved, in writing,
27 by the Executive Director or the Associate Executive Director for Nursing Practice prior to
28

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1 taking the course. Documentation of successful course completion must be submitted to the
2 Board within one (1) year of the execution of this order.

3 3. ABSTINENCE FROM ALCOHOL, MOOD ALTERING DRUGS,
4 CONTROLLED SUBSTANCES

5 RESPONDENT shall abstain from the use of alcohol and all mood-altering drugs and controlled
6 substances except when absolutely required for documented medical treatment. All other
7 methods of alternative treatment must be tried, and failure must be documented prior to use of
8 any mood-altering drugs. This treatment must be prescribed by a person authorized by law to
9 prescribe such substances, and who is knowledgeable about the disease of addiction and the
10 Respondent's history. This treatment must be reported to the Board, in writing, within seven (7)
11 days, accompanied by the above-described documentation. The Board may require additional
12 treatment until Respondent documents sobriety after periods of prescribed drug use.

13 4. CHEMICAL DEPENDENCY EVALUATION/FOLLOW
14 RECOMMENDATIONS

15 RESPONDENT shall have a chemical dependency evaluation completed by a Board approved
16 provider within the first sixty (60) days of this executed Agreement. Respondent will direct the
17 evaluator to provide results of her evaluation directly to the Board. Respondent shall follow
18 any/all recommendations of the provider.

19 5. COUNSELING REQUIREMENT/D.A.C. EVALUATION

20 RESPONDENT shall attend weekly counseling sessions with a Board approved provider for six
21 (6) months from the execution of this Agreement. Upon completion of the six months of
22 counseling, RESPONDENT shall meet with the Board's Disability Advisory Committee for
23 evaluation. Respondent is responsible for scheduling her appointment with the Disability
24 Advisory Committee. Weekly counseling shall continue until changes in frequency have been
25 approved by the Associate Executive Director for Nursing Practice and the Board's Disability
26 Advisory Committee.

27 6. COUNSELOR REPORTS (DUE MONTHLY)

28 RESPONDENT shall have her Board approved counselor provide the following:

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- a. Submit progress reports related to the plan of treatment every month;
- b. Identify at the completion of six (6) months of counseling and whether or not Respondent needs to continue counseling;
- c. Respondent shall participate in individual counseling with a Board approved counselor until the counselor and the Executive Director or Associate Executive Director for Nursing Practice approve discontinuance;
- d. All changes in counselors shall be approved prior to their implementation;
- e. A second opinion may be required to terminate any counseling.

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7. **SUBMISSION OF EVIDENCE OF ATTENDANCE AT ALCOHOLICS
ANONYMOUS (AA) OR GAMBLERS ANONYMOUS (NA) MEETINGS**

RESPONDENT shall attend a minimum of two (2) meetings per week of Alcoholics Anonymous (AA) and/or Gamblers Anonymous (GA) throughout probation, and shall submit documentation of all meetings attended to the Board on a quarterly basis.

8. **SUBMISSION OF AA/GA SPONSOR REPORTS**

RESPONDENT shall cause his/her AA or GA sponsor to submit reports addressing Respondent's progress in recovery on forms provided by the Board on a quarterly basis.

9. **ATTENDANCE AT NURSE SUPPORT GROUP**

RESPONDENT shall attend weekly meetings of a Board-approved Nurse Support Group and submit documentation of all meetings attended to the Board on a quarterly basis.

10. **SUBMISSION TO URINE, BLOOD, OR OTHER TESTS FOR DRUGS OF
ABUSE**

RESPONDENT shall submit to random urine, blood or other tests for drugs of abuse and/or alcohol when requested by her counselor, supervisor, or representative of the Board; however, these tests shall occur no less than two (2) times every month. Respondent shall cause his/her physician to write a standing order for testing for alcohol and drugs of abuse. These tests shall be treated as forensic specimens and submitted to a Board-approved laboratory. Respondent

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BOARD OF NURSING

1 shall cause the results to be given to the requesting party and the Board. Any confirmed positive
2 finding shall be reported immediately to the Board. Changes in frequency of tests may be
3 approved by the Associate Executive Director for Nursing Practice and the Disability Advisory
4 Committee.

5 11. ATTENDANCE AT A BOARD MEETING MANDATORY

6 RESPONDENT shall, during the first year of this Agreement, attend a minimum of one meeting
7 of the Nevada State Board of Nursing during which disciplinary hearings are held. This shall not
8 include any meeting at which his/her own case is considered.

9 12. TIME EARNED OFF PROBATION

10 RESPONDENT shall only receive credit toward service of his/her probation period while
11 employed in a capacity for which nursing licensure/certification is required and subject to
12 adequate supervision approved by the Board.

13 13. WRITTEN EMPLOYMENT SITE APPROVAL BY BOARD STAFF

14 The Board shall approve all employment sites (changes in specialty and/or work site or unit,
15 including changes within the same facility or under the same employer) requiring a nursing
16 license/certificate prior to commencement of work. Approval is given through the Executive
17 Director, or the Associate Executive Director for Nursing Practice.

18 14. WRITTEN NOTIFICATION OF TERMINATION OF EMPLOYMENT TO
19 BOARD

20 RESPONDENT is required to notify the Board in writing within seventy-two (72) hours after
21 commencement or termination of any nursing employment. Any notification regarding
22 termination shall contain a full explanation of the circumstances surrounding it.

23 15. DIRECTION BY A REGISTERED NURSE

24 RESPONDENT shall be employed in a setting in which direction is provided by a Registered
25 Nurse. Direction shall mean: the intermittent observation, guidance and evaluation of the
26 nursing practice by a licensed professional nurse who may only occasionally be physically
27 present; the degree of direction needed shall be determined by an evaluation of the patient care
28 situation, and the demonstrated proficiency of the Respondent.

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16. **RESTRICTION FROM FUNCTIONING IN A SUPERVISORY ROLE**

RESPONDENT may not function as a supervisor, including as a head nurse or charge nurse for a minimum of one (1) year and unless approved by the Associate Executive Director for Nursing Practice and the Disability Advisory Committee.

17. **LIMITATION ON HOURS WORKED**

RESPONDENT shall not work more than ninety (90) hours in nursing in a two (2) week period. Changes in hours may be approved by the Associate Executive Director for Nursing Practice and the Disability Advisory Committee.

18. **SUBMISSION OF AGREEMENT TO IMMEDIATE SUPERVISOR**

RESPONDENT shall provide a copy of this Agreement to her employer and immediate supervisor.

19. **INITIAL SUPERVISOR REPORTS (DUE PRIOR TO BEGINNING EMPLOYMENT)**

RESPONDENT shall cause his/her nursing supervisor (the person who is directly responsible for everyday nursing functions) to submit a written report prior to the commencement of employment. A form is provided for this report that includes:

- a. Name and address of employer and name of immediate supervisor;
- b. Duties and responsibilities to be carried out by Respondent in the form of a job description;
- c. Acknowledgement from the supervisor that this Agreement has been read, that the role of the supervisor is understood, and that the supervisor agrees to participate in the Respondent's probationary stipulations as outlined in this Decision and Order.

A report of this content shall be submitted by each additional or subsequent employer during the entire probationary period and shall be due prior to the commencement of employment.

20. **SUPERVISOR REPORTS (DUE QUARTERLY)**

RESPONDENT shall cause his/her nursing supervisor (the person who is directly responsible for everyday nursing functions) to submit quarterly written reports to the Board addressing work

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1 attendance, reliability, ability to carry out assigned nursing functions, ability to handle stress
2 (change in behavior patterns), and any other information the employer or supervisor feels would
3 assist the Board in its ultimate review of Respondent's case. The supervisor shall include
4 notification of any infractions of laws that come to his/her attention, and any other relevant
5 information.

6 21. **SELF REPORTS (DUE QUARTERLY WHETHER WORKING OR NOT)**

7 RESPONDENT shall submit written reports, whether working or not, on his/her progress in
8 recovery, his/her ability to handle stress, his/her mental and physical health, his/her current job
9 duties and responsibilities, his/her ability to practice nursing safely, and any changes in his/her
10 plan for meeting the stipulations of this Agreement. It is the Respondent's responsibility to
11 resolve any confusion with the Executive Director or Associate Executive Director for Nursing
12 Practice. Failure to demonstrate acceptable progress in recovery may be considered a violation
13 of this Agreement.

14 22. **REPORT DUE DATES**

15 RESPONDENT shall cause all reports to be in writing and submitted directly to the Board on a
16 quarterly basis unless otherwise specified. These reports shall begin three (3) months subsequent
17 to the execution of this Agreement and are due no later than the last day of the month. It is the
18 obligation of the Respondent to insure that all written reports are on time. The failure to submit
19 the reports on time may be considered a violation of this Agreement. Changes in the frequency
20 of reporting may be approved by the Associate Executive Director for Nursing Practice and the
21 Disability Advisory Committee.

22 23. **REQUIREMENT TO MEET WITH THE BOARD OR STAFF UPON**
23 **REQUEST**

24 RESPONDENT shall meet with the Board or its representatives upon request and shall cooperate
25 with representatives of the Board in their supervision and investigation of Respondent's
26 compliance with the terms and conditions of this Agreement.

27 24. **FINANCIAL RESPONSIBILITIES AND MONITORING FEES (DUE**
28 **MONTHLY)**

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1 RESPONDENT shall be financially responsible for all requirements of this Agreement,
2 including any financial assessments by the Board for the cost of monitoring his/her compliance
3 with this Agreement.

4 25. WRITTEN NOTIFICATION OF CHANGE OF ADDRESS

5 RESPONDENT shall notify the Board, in writing of, and prior to, any change of address.

6 26. EFFECT ON ALL LICENSURE/CERTIFICATION IN THIS STATE

7 This Agreement shall cover any nursing license and/or certification issued by the State of
8 Nevada.

9 27. REQUIRED NOTIFICATION OF OTHER STATES OF LICENSURE
10 AND/OR CERTIFICATION

11 RESPONDENT shall, upon execution of this Agreement, inform any other state board of nursing
12 in whose jurisdiction he/she has been issued a license/certificate (current or not), or in whose
13 jurisdiction he/she has applied for a license/certificate, or will apply for a license/certificate, of
14 this Agreement. Respondent shall provide a copy of this Agreement to said Board(s) of Nursing.

15 28. TERMINATION OF PROBATION

16 Upon completion of the stipulations of this Agreement, Respondent shall apply for termination
17 of probation and issuance of unrestricted licensure/certification on forms supplied by the Board.
18 Respondent shall meet with the Associate Executive Director for Nursing Practice and the
19 Disability Advisory Committee for evaluation of compliance and recommendation for
20 termination of probation. The probation shall continue until terminated by the Board. The
21 Board will determine whether or not probation will be terminated.

22
23 29. VIOLATIONS TO BE REPORTED TO BOARD WITHIN SEVENTY-TWO
24 (72) HOURS

25 RESPONDENT shall practice in accordance with the Nurse Practice Act and Board established
26 Standards of Practice. Respondent shall obey all federal, state and local laws, employer policy or
27 contracts, and orders of the Board, pertaining to the practice of nursing in this state. Any and all
28 violations shall be reported by the Respondent to the Board in writing within seventy-two (72)

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1 hours. It is the Respondent's responsibility to resolve with the Executive Director, or the
2 Associate Executive Director for Nursing Practice any confusion regarding what laws pertain to
3 nursing.

4 30. **CONSEQUENCES OF FURTHER VIOLATIONS INCLUDING**
5 **VIOLATIONS OF THIS AGREEMENT; AGREEMENT TO SURRENDER**
6 **LICENSE AND/OR CERTIFICATE**

7 RESPONDENT acknowledges that if he/she should violate one or more of the terms of restricted
8 licensure/certification, the Board may revoke, or invoke other appropriate discipline against
9 his/her license/certificate to practice nursing, subject only to the requirement that the Board shall,
10 prior to such disciplinary action, conduct a hearing in accordance with the Nevada Nurse
11 Practice Act for the limited purpose of establishing that there has, in fact, been a violation of the
12 stipulations of this Agreement. In the event that a violation of the stipulations is alleged,
13 Respondent agrees to surrender his/her license/certificate to the Executive Director, or the
14 Associate Executive Director for Nursing Practice, if they so request, and refrain from practicing
15 nursing until entry of a final order of the Board or a court of competent jurisdiction, whichever
16 last occurs, regarding a potential violation. Respondent agrees to waive his/her right to appeal
17 the substantive legal basis of the disciplinary action. In the event an alleged violation of
18 probationary licensure/certification is taken to hearing and the facts which constitute the
19 violation are determined to be not proven, no disciplinary action shall be taken by the Board and
20 the probationary licensure/certification previously ordered by the Board shall again be operative
21 and in full force and effect.

22
23 31. **CONSEQUENCES OF OTHER MISCONDUCT**

24 In the event other misconduct is reported to the Board, this Agreement may be used as evidence
25 against the Respondent to establish a pattern of behavior and for the purpose of proving
26 additional acts of misconduct.

27 32. **REPORTING TO NATIONAL DISCIPLINARY DATA BANKS**
28

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1 This agreement will become part of the Respondent's permanent record, will become public
2 in formation, will be published with the list of disciplinary actions the Board has taken, and will
3 be reported to a national disciplinary data bank, either the Healthcare Integrity and Protection
4 Data Bank or National Council of State Boards of Nursing's Nursys. The Agreement may be
5 used in any subsequent hearings by the Board.

6 33. WAIVER OF RIGHT TO APPEAL

7 RESPONDENT agrees to waive his/her right to appeal the substantive legal basis of the
8 disciplinary action. In the event an alleged violation of probationary licensure/certification is
9 taken to hearing and the facts which constitute the violation are determined to be not proven, no
10 disciplinary action shall be taken by the Board and the probationary licensure/certification
11 previously ordered by the Board shall again be operative and in full force and effect.

12 NEVADA STATE BOARD OF NURSING retains jurisdiction in this case until all
13 conditions have been met to the satisfaction of the Board.

14
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17
18 *Carol Buchanan*
19 RESPONDENT

20 12-21-01
21 Date

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25 NEVADA STATE
26 BOARD OF NURSING

NEVADA STATE BOARD OF NURSING

17 *Cookie Bible* ASW
18 Cookie Bible, BSN, RNC, APN
19 Board President

20 125-02
21 Date

22 *Debra Scott* MS RN
23 Debra Scott, MS, RN
24 Associate Executive Director
25 For Nursing Practice

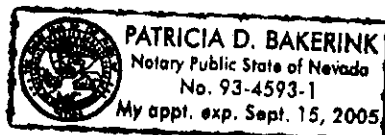
26 12/28/01
27 Date

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1 STATE OF Nevada

2
3 COUNTY OF Clark

4 This instrument was acknowledged before me on December 21, 2001
5 by Carol Bucknam.



9 Patricia D. Bakerink
Notary Public

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14 DEC 21 2001
15 NEVADA STATE
16 BOARD OF NURSING

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NEVADA STATE
BOARD OF NURSING

BEFORE THE NEVADA STATE BOARD OF NURSING

In the Matter of

Case No. 1210-00C

CAROL BUCKNAM,
Registered Nurse,
License No. 31233,

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER

Respondent.

IT APPEARING on the 20th day of September, 2002, a hearing was held in the above matter by the Nevada State Board of Nursing (Board), at the Grant Sawyer Building, 555 E. Washington, Las Vegas, Nevada, at 8:30 a.m., or as soon thereafter as possible, in compliance with the provisions of Chapters 233B and 632 of the Nevada Revised Statutes (NRS) and Chapter 632 of the Nevada Administrative Code (NAC). The Respondent appeared and at all times herein represented herself.

IT FURTHER APPEARING to the satisfaction of the Board that at least 21 working days prior to the date of the hearing Respondent had been noticed of the said hearing by certified mail to Respondent's last known residential address, and that it had jurisdiction over this matter, the Board proceeded to make a determination.

The Board having duly considered the testimony and exhibits and having fully considered the law, and being fully advised herein, make the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

I.

On approximately August 13, 2002, Respondent was sent, via certified mail, an administrative complaint and notice of hearing in Case No. 1210-00C alleging violations of the Nevada Nurse Practice Act (NRS/NAC 632).

II.

On or about September 20, 2002, Respondent signed a stipulation of facts and liability in Case No. 1210-00C admitting to violating the Nevada Nurse Practice Act and that she may be subject to disciplinary action.

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BOARD OF NURSING

III.

On September 20, 2002, the Board accepted the stipulation of facts and liability signed by Respondent in this case.

CONCLUSIONS OF LAW

1. Pursuant to NRS 233B.121(5), the Board may accept a stipulation as an informal resolution of a case.

2. Based on the contents of the stipulation of facts and liability, Respondent was found to have violated NAC 632.890(35), failing to comply with a condition, limitation or restriction which has been placed on his license or certificate.

3. Based on the foregoing violation, Respondent was found guilty of violating one (1) count of NRS 632.320(7), unprofessional conduct.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law and good cause appearing therefor,

IT IS HEREBY ORDERED that, pursuant to NRS 632.320 and/or NAC 632.926(1)(h), Respondent's Nevada Nursing License No. 31233 is revoked. Pursuant to NAC 632.929, Respondent may not apply for re-licensure for a period of one (1) year. Prior to applying for re-licensure, Respondent must complete a chemical dependency program approved by the Board. Successful completion of the foregoing criteria does not imply automatic reinstatement.

IT IS FURTHER ORDERED that the revocation become part of Respondent's permanent record, be published on the Board's list of disciplinary actions, and be reported to the appropriate disciplinary data banks.

Pursuant to NRS 632.400(2), the ruling of the Board contained in these Findings of Fact, Conclusions of Law, and Order shall take effect upon service to the Respondent or when the Board receives a return from the United States Postal Service indicating the Respondent refused service or could not be located. If no return is received by the Board, the order shall become effective 30 days from the date of the order.

1 DATED this 8 day of October, 2002.

2 NEVADA STATE BOARD OF NURSING

3
4 By: Cookie Bible RN
5 COOKIE BIBLE, R.N. A.P.N.
6 President

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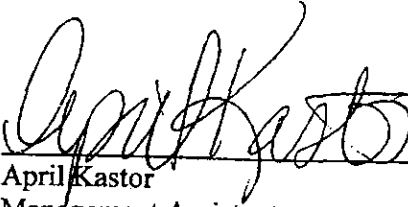
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27 BOARD OF NURSING

1 CERTIFICATE OF SERVICE

2
3 I certify that I am an employee of the Nevada State Board of Nursing and that on this
4 16th day of October, 2002, I served a copy of the foregoing FINDINGS OF FACT,
5 CONCLUSIONS OF LAW AND ORDER, by placing said documents in the U.S. Mail, certified,
6 return receipt requested and postage prepaid, addressed to:

7
8 CAROL BUCKNAM
9 536 EAST H ST
10 ONTARIO, CA 91764

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12
13 
14 April Kastor
15 Management Assistant
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BEFORE THE NEVADA STATE BOARD OF NURSING

IN THE MATTER OF

CAROL BUCKNAM LICENSED
REGISTERED NURSE NEVADA LICENSE
NO. RN31233, LICENSED PRACTICAL
NURSE NO. LPN 09976, CERTIFIED
NURSING ASSISTANT NO. 006904
RESPONDENT

STIPULATION OF FACTS
AND LIABILITY

CASE NO. 1210-00C

Stipulation of Facts

The parties do acknowledge and stipulate the following facts:

1. RESPONDENT acknowledges that she has had the opportunity to consult with an attorney prior to signing this Stipulation of Facts and Liability.
2. RESPONDENT is licensed as a Registered Nurse, Licensed Practical Nurse and Certified Nursing Assistant in the State of Nevada and was licensed at the time of the conduct described herein and is, therefore, subject to the jurisdiction of the Board.
3. RESPONDENT acknowledges that she was placed on a three (3) year Agreement for Probation by the Board in January 2002, for the following, "On or about September 10, 1999, she was suspended based on her work performance at Sunrise Hospital during August of 1999. The counseling form indicates that the Respondent's performance was below minimal standards, documentation skill were poor, she does not observe the five rights of medication, medication not given on time, poor prioritization, PCA pump left in the room of a discharged patient, syringe with narcotic left on a table, and inappropriate comments to family members." "On or about February 28, 2000, Respondent's employment with USA Personnel was terminated based on occurrences while working at Desert Springs Hospital, on or about February 11, 2000. The termination report indicates that the Respondent was not giving required medication when due and

1 available, giving medication for increased heart rate when not needed and poor
2 medication assessment and competency."

3 4. RESPONDENT was ordered to comply with certain terms and conditions of
4 probation.

5 5. RESPONDENT acknowledges that since acceptance of the aforementioned
6 Agreement for Probation, Respondent has failed to timely comply with the terms and conditions
7 of said Agreement by the following means:

- 8 a. On or about June 26, 2002, RESPONDENT submitted copies of Nurse
9 Support Group and AA/NA meeting attendance sheets for May and June,
10 which allegedly were obtained while living in California. RESPONDENT
11 also submitted a problem index and action plan allegedly completed by the
12 Inland Valley Drug and Alcohol Recovery Services in Upland California.
13 No April reports were received at that time.
- 14 b. On or about February 2002 RESPONDENT failed to submit a CD
15 evaluation as required by RESPONDENTS agreement.
- 16 c. As of July 31, 2002, RESPONDENT failed to submit any urine drug
17 screens as required by RESPONDENT'S agreement.
- 18 d. As of July 31, 2002, RESPONDENT has failed to submit all but one
19 month's fees.
- 20 e. On or about July 25, 2002, RESPONDENT contacted the Board staff via
21 telephone and stated that RESPONDENT continued to drink alcohol
22 through March of 2002 and was terminated from employment at that time
23 and moved to California due to the RESPONDENTS drinking and
24 gambling problems. RESPONDENT indicated the desire to endorse her
25 nursing license to California. RESPONDENT indicated that a CD
26 evaluation was done by a non-approved provider and would be sending
27 the report to the Board. It was not received as of July 31, 2002.

28 Stipulation of Liability

29 The parties do acknowledge and stipulate that the acts or omissions of Respondent
30 constitutes a violation of the Nevada Revised Statutes (NRS), chapter 632, and the Nevada
31 Administrative Code (NAC), chapter 632, as follows:
32
33

14. Has willfully failed to comply with a regulation, subpoena or order of the Board.

NEVADA STATE BOARD OF NURSING

Cookie Bible, BSN, RNC, APN
Board President

Date _____

Date _____

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NEVADA STATE
BOARD OF NURSING

BEFORE THE NEVADA STATE BOARD OF NURSING

In the Matter of

CAROL BUCKNAM,
Registered Nurse,
License No. 31233,

Respondent.

Case No. 1210-00C

COMPLAINT AND NOTICE
OF HEARING

The Nevada State Board of Nursing (Board), by and through counsel, Frankie Sue Del Papa, Attorney General of the State of Nevada, and Keith D. Marcher, Senior Deputy Attorney General, hereby notifies Respondent, Carol Bucknam, of an administrative hearing, which is to be held pursuant to Chapters 233B and 632 of the Nevada Revised Statutes and Chapter 632 of the Nevada Administrative Code. The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 632.320 and/or NRS 632.325 and/or NAC 632.926-.927, if the stated allegations are proven at the hearing by the evidence presented.

Respondent, Carol Bucknam, is currently and at the times mentioned herein, licensed as a registered nurse in the State of Nevada and is, therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 632 and NAC Chapter 632.

IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

I.

On approximately December 21, 2001, Respondent signed an agreement for disciplinary probation (three years) in Case No. 1210-00C. The Board accepted Respondent's agreement for probation in January 2002.

II.

The foregoing agreement required Respondent to comply with certain terms and conditions to avoid further disciplinary action against her Nevada nursing license.

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III.

To this date, Respondent has failed to comply with specific terms and conditions and is in violation of her agreement with the Board.

IV.

The foregoing conduct constitutes grounds for disciplinary action pursuant to NRS 632.320(7), unprofessional conduct, including the acts found at NAC 632.890(35), failing to comply with a condition, limitation or restriction which has been placed on his license or certificate.

Based on the foregoing:

PLEASE TAKE NOTICE, that a disciplinary hearing has been set to consider this Administrative Complaint against the above-named Respondent in accordance with Chapters 233B and 632 of the Nevada Revised Statutes and Chapter 632 of the Nevada Administrative Code.

THE HEARING WILL TAKE PLACE on Friday, September 20, 2002, commencing at 8:30 a.m., or as soon thereafter as the Board is able to hear the matter, at the Grant Sawyer Building, Capitol Police Conference Room, 555 East Washington, Las Vegas, Nevada 89101. This case and other matters are scheduled to be heard by the Board.

PURSUANT TO NRS 632.350, Respondent may request, in writing, that the Board furnish copies of communications, reports, and affidavits in its possession, regarding the above-referenced matter.

As the Respondent, you are specifically informed that you have the right to appear and be heard in your defense, either personally or through counsel of your choice. You have the right to respond and to present relevant evidence and argument on all issues involved. You have the right to call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on any matter relevant to the issues involved.

You have the right to request that the Board issue subpoenas to compel witnesses to testify and/or evidence to be offered on your behalf. In making this request, you may be required to demonstrate the relevancy of the witness' testimony and/or evidence.

The purpose of the hearing is to determine if the Respondent has violated NRS 632.320(7), and/or NAC 632.890(35), and if the allegations contained herein are substantially proven by the

Attorney General's Office
100 N. Carson Street
Carson City, Nevada 89701-4717

1 evidence presented to further determine what administrative penalty is to be assessed against the
2 Respondent, if any, pursuant to NRS 632.320 and/or NRS 632.325 and/or NAC 632.926-.927.

3 Should the Respondent fail to appear at the hearing, a decision may still be reached by the
4 Board. As the Respondent, you are further advised that you may be charged with cost associated with
5 the hearing pursuant to NRS 632.325(1)(c).

6 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by stipulation,
7 agreed settlement, consent order, or default. Any attempt to negotiate this case should be made through
8 Keith D. Marcher, Senior Deputy Attorney General.

9 DATED this 13TH day of August, 2002.

10 FRANKIE SUE DEL PAPA
11 Attorney General

12
13 By: 

14 KEITH D. MARCHER
15 Senior Deputy Attorney General
16 100 North Carson Street
17 Carson City, Nevada 89701-4717
18 (775) 684-1201

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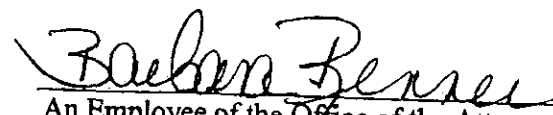
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Attorney General's Office
100 N. Carson Street
Carson City, Nevada 89701-4717

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, and that on this 13 day of August, 2002, I served a copy of the foregoing COMPLAINT AND NOTICE OF HEARING, by placing said document in the U.S. Mail, certified, return receipt requested and postage prepaid, addressed to:

Carol Bucknam
536 East H Street
Ontario CA 91764


An Employee of the Office of the Attorney General

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